

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
MARIE AGNIEL

Plaintiff,

Index No.:12 cv 7227 (NRB)

-against-

CENTRAL PARK BOATHOUSE, LLC

Defendant.
-----X

DECLARATION OF CINDY SCHMITT MINNITI, ESQ.

I, Cindy Schmitt Minniti, Esq., hereby certify and declare as follows:

1. I am an attorney admitted to practice before the courts of the State of New York and the United States District Court for the Southern District of New York. I am a partner of the law firm Reed Smith LLP ("Reed Smith") with an office located at 599 Lexington Avenue, New York, New York, 10022.

2. I submit this declaration, pursuant to Rule 1.4 of the Local Rules for the United States District Courts for the Southern and Eastern Districts of New York, in support of the accompanying Stipulation and Order Substituting Counsel substituting Reed Smith for Krakower DiChiara LLC ("Krakower DiChiara") as counsel of record for Defendant Central Park Boathouse, LLC ("Defendant") in the above-captioned action.

3. Defendant has requested that Krakower DiChiara represent it in this action and has consented to the withdrawal of Reed Smith as counsel of record.

4. Plaintiff Marie Agniel ("Plaintiff") filed a Complaint on September 25, 2012 alleging that Defendant engaged in several unlawful discriminatory practices, including retaliation and creation of a hostile work environment. Defendant thereafter filed an Answer on

November 15, 2012, asserting various defenses and affirmative defenses to the allegations asserted in the Complaint. At the Court's direction, on February 28, 2013, the parties participated in a mandatory mediation session which failed to yield an amicable resolution of the action. As of the date of this submission, the parties have not conducted any discovery and the Court has not yet issued a Scheduling Order. The instant action has thus not proceeded beyond even the earliest stages of litigation.

5. For the foregoing reasons, I respectfully submit that the substitution of counsel will not unnecessarily delay this action or prejudice any party, and therefore respectfully request that the Court approve and endorse the accompanying stipulation and order.

6. Reed Smith is not asserting a retaining or charging lien against Defendant in connection with the above-captioned action.

7. Service of both the Stipulation and Order Substituting Counsel and declaration in support thereof will be served upon Defendant and all other parties to this action.

Pursuant to 28 U.S.C. §1746, I certify under penalty of perjury under the laws of the United States of America that the foregoing statements made by me are true and correct. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: April 23, 2013

/s/ Cindy Schmitt Minniti
Cindy Schmitt Minniti, Esq.